

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 14543 of 2004

Between:

Srirangam Satyanarayana S/o. S.N. Charyulu
R/o. Plot No. 159, HMT, Sathavahana Colony, Kukatpally, Hyderabad.

..... PETITIONER

AND

- 1 The Commissioner of Police, Cyberabad, Lakdika Pool, R.R.District.
- 2 S.H.O., P.S., Kukatpally at Kukatpally, Cyberabad, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or orders one in the nature of writ of mandamus by declaring the inaction of the respondent No.2 for interfering in the matter pertaining to civil nature by harassing the petitioner without any reason and regularly calling to the petitioner into the police station in respect of the plot No.68 in H.No.2-22-120/3/B, Novodaya Colony, Sy.No.121 part admeasuring 270 square yards situated at K.R.B.Nagar Kukatpally village and Municipality, Balanagar Mandal, R.R.District in inspite of giving a complaint to the respondent No.1 dated. 13.8.2004 and declare the same as totally illegal, arbitrary against the principle of natural justice.

Counsel for the Petitioner: MR.SURESH SHIV SAGAR

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

ORDER:

-

The petitioner states that the second respondent is harassing him and

indulging in civil disputes between himself and certain other persons. It is also alleged that he is being called to the police station indiscriminately, in relation to a dispute relating to a plot in Sy.No.121 of Kukatpally village. He seeks a writ of mandamus, restraining the respondents from interfering with his rights.

On behalf of the respondents, a counter affidavit is filed referring to the various facts relating to the dispute between the petitioner and one K.Gangaram. It is stated that the petitioner was required to attend the police station in relation to investigation into Crime No.630/2004, under Sections 420, 468 and 471 of IPC. They further contend that the civil dispute between the petitioner and his rival is the subject matter of a suit and they never intend to interfere with the same.

Heard learned counsel for the petitioner and the learned Government Pleader for Home.

Even according to the learned counsel for the petitioner, a suit has since been filed in relation to the plot referred to above. So far as the Crime No.630/2004 is concerned, it is stated that the petitioner had obtained bail in the matter and that the matter is pending before a Criminal Court. The respondents have categorically stated in the counter affidavit that they never intend to interfere with the civil dispute between the petitioner and his rival.

In that view of the matter, the writ petition is closed, recording the statement contained in the counter affidavit filed by the respondents. There shall be no order as to costs.

16th December, 2004

To

1 The Commissioner of Police, Cyberabad, Lakdika Pool, Ranga Reddy District.

2 S.H.O., P.S., Kukatpally at Kukatpally, Cyberabad, Ranga Reddy District.

3 Two C.Cs to the Government Pleader for Home, High Court Buildings, Hyderabad (OUT).

4 Two C.D. copies.